REMARKS

Reconsideration of this application, as presently amended, is respectfully requested. Claims 1-8 and 14-34 are pending in this application. Claims 1-3, 14 and 34 stand rejected. Claims 4-8 and 15-33 were withdrawn form consideration as being directed to a non-elected invention.

Claim Rejection-35 U.S.C. §103

Claims 1, 14 and 34 are rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art (**AAPA**) in view of **Yano et al.** (USP 6,701,372, previously cited).

Initially, it is noted that claims 1 and 14 have been amended to clarify that packets are transmitted to the network during *an entire period* between when said encoder ends writing real-time encoded data corresponding to a frame to the storage means and when said encoder begins writing real-time encoded data corresponding to a next frame to the storage means. Support for this amendment is provided, e.g., in Fig. 3 of the present application, wherein the "entire period" corresponds to the period TS_k shown in Fig. 3. Further, claim 34 has been amended to clarify that "the transmission timing and control means controls transmission of packets corresponding to respective frames to the network based on a determination of <u>a difference between a time</u> <u>between frames and</u> a time during which the encoder writes frame data to the storage means and a ~~determination of a time between frames~~...". Support for this amendment is provided, e.g., by the formula on page 14, line 11 of the specification.

In the current rejection under §103, the Examiner apparently recognizes that **Yano et al.** does not disclose or suggest the claimed "storage means…" because the Examiner now applies Fig. 25 of the **AAPA** against the claims, asserting that **AAPA** teaches the claimed *"input means"*, *"encoder"* and *"storage means"*. However, in the current rejection, the Examiner maintains the position that **Yano et al.** discloses the *"transmission timing control and transmission means"*.

More specifically, the Examiner asserts that **AAPA** discloses all claimed elements except for the *"division means"* and *"transmission timing control and transmission means…"* (see Office Action, page 2, Item 6). The Examiner now relies on **Yano et al.** to teach the *"division means"* and *"transmission timing control and transmission means…"*. See Office Action, page 3, Items 4-7.

Fig. 25 (**AAPA**) of applicants' specification illustrates a system for direct transmission of picture information that has been compressed in a real-time manner. The system shown in Fig. 25 includes a real-time encoder 11 to encode data in frame units in real time and to write the encoded data into a frame buffer 12. The network transmission section 15a of **AAPA** operates as shown in Fig. 26 of the applicant's specification, which illustrates transmitting data to a network during a time TS_k, which is *after* a write time TW_k during which the encoder 11 writes frame data to a the frame buffer 12 and *before* a write time TW_{k+1} during which next frame data is stored in the buffer.

As noted above, claims 1 and 14 have been amended to clarify that the packets are transmitted to the network during ***an entire period*** between when said encoder ends writing real-

time encoded data corresponding to a frame to the storage means and when said encoder begins writing real-time encoded data corresponding to a next frame to the storage means.

It is submitted that neither **AAPA** nor **Yano et al.** disclose or suggest transmitting packets during the entire period between when said encoder ends writing real-time encoded data corresponding to a frame to the storage means and when said encoder begins writing real-time encoded data corresponding to a next frame to the storage means.

As noted above, TS_k in Fig. 26, which is a time for which the K-th frame data can be transmitted to the network, is not the entire period between when said encoder ends writing real-time encoded data corresponding to a frame to the storage means and when said encoder begins writing real-time encoded data corresponding to a next frame to the storage means.

Further, because **Yano et al.** do not disclose or suggest the claimed "storage means" (the Examiner acknowledges this, as noted above), **Yano et al.** cannot disclose the claimed "transmission timing control and transmission means for controlling transmission timing to sequentially transmit the packets corresponding to the respective frames to a network, wherein packets corresponding to respective frames are transmitted sequentially to the network during an entire period between when said encoder ends writing real-time encoded data corresponding to a frame to the *storage means* and when said encoder begins writing real-time encoded data corresponding to a next frame to the *storage means*, and for transmitting the packets to the network according to a connection-less type protocol." In other words, the transmission of data to the network is dependent upon the time data is written to the storage means. **Yano et al.** can not teach this dependence because **Yano et al.**, does not teach the claimed "storage means".

As noted above, claim 34 has been amended to clarify that "the transmission timing and control means controls transmission of packets corresponding to respective frames to the network based on a determination of a difference between a time between frames and a time during which the encoder writes frame data to the storage means and a ~~determination of a time between frames~~...".

First, **Yano et al.** is completely silent with respect to making the determination recited in claim 34. In the previous response, applicants specifically argued that **Yano et al.** do not disclose the type of determination recited in claim 34. The Examiner has not responded to these arguments. Accordingly, if the rejection is maintained, the Examiner is respectfully requested to address the argument that **Yano et al.** do not disclose or suggest controlling transmission of packets to the network based on a "determination of a difference between a time between frames and a time during which the encoder writes frame data to the storage means...".

Second, the **AAPA** (Fig. 25 and corresponding Fig. 26) discloses that the time TS_k is a time for transmitting Kth frame data to the network (see applicants' specification, page 2, lines 23-24). However, **AAPA** does not disclose or suggest how the TS_k is determined, and do not disclose or suggest that TS_k is based on a determination of a difference between a time between frames and a time during which the encoder writes real time encoded data to the storage means.

For all of the reasons set forth above, it is respectfully submitted that the combination of **AAPA** and **Yano et al.** does not result in the invention as recited in independent claims 1, 14 and 34. Reconsideration and withdrawal of the rejection of claims 1, 14 and 34 under §103 are respectfully requested.

Claims 2 and 3 were rejected under 35 U.S.C. §103(a) as being unpatentable over Applicants' Admitted Prior Art (**AAPA**) in view of **Yano et al.** as applied to claims 1 and 14 above, and further in view of **Boyce** (USP 6,490,705, previously cited)

It is submitted that **Boyce** does not alleviate any of the above-noted deficiencies of **AAPA** and **Yano et al.** Accordingly, claims 2 and 3 depend from claim 1 and patentably distinguish over the combination of **AAPA**, **Yano et al.** and **Boyce** for the same reasons as claim 1.

CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.
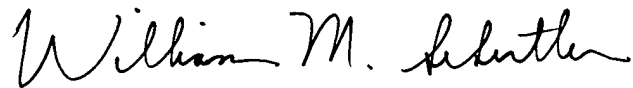
If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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